

STAFF REPORT

DATE: February 26, 2020

TO: Board of Adjustment

FROM: Zoning Administration
Planning & Development
Services Department

ACTIVITY NO. T20SA00029

**C10-20-02 FIRE STATION NO. 11 NEW ADDITIONS / CITY OF TUCSON /
4075 EAST TIMROD STREET / R-1**

The property is an approximately 18,892 square foot lot zoned R-1, and is developed with a fire station. The applicant is proposing to construct an addition on the north and east sides of the existing building.

THE APPLICANT'S REQUEST TO THE BOARD

The applicant is requesting the following variances:

- 1) Allow the minimum lot size for the protective service use to remain reduced from 20,000 square feet to approximately 18,892 square feet; and
- 2) Allow the lot coverage for a protective service use to exceed 60%, all as shown on the submitted plans.

APPLICABLE TUCSON ZONING CODE SECTIONS

Tucson *Unified Development Code (UDC)* sections applicable to this project include, in part, the following:

Section 4.7.8 *Residence Zone (R-1)* and Table 4.8-2 *Permitted Uses – Urban Residential Zones*, which provides the use criteria in the R-1 zone; and

Sections 6.3.4 *Dimensional Standards and Exceptions Tables*, 6.4.2 *Lot Size*, 6.4.3 *Lot Coverage And Site Coverage*, and Table 6.3-2.B *Exceptions to the R-1, R-2, R-3, MH-1, & MH-2 Dimensional Standards*, which provides the dimensional standards and rules of measurement applicable to all principal and accessory structures.

GENERAL DEVELOPMENT INFORMATION

Zoning and Land Use

SITE: ZONED R-1; (protective service)

North: Zoned R-1; (single-family residential)

South: Zoned R-3; (multi-family residential)

East: Zoned R-1; (single-family residential)

West: Zoned R-1; (single-family residential)

RELATED PLAN REVIEWS

Historic Preservation

The property is a contributing resource to the San Clemente National Register Historic District. Per the City's Administrative Directive, work to a city owned property requires historic review to ensure that historic resources will not be adversely impacted. On October 10, 2019, Case No. HPZ-19-82 was reviewed by the Tucson-Pima County Historical Commission, Plans Review Subcommittee (PRS) and it was determined that the proposed project is consistent with the US Secretary of the Interior's Standards. The City's Historic Preservation Office concurs with this determination.

Engineering

The Engineering Section of Planning and Development Services Department has no objection/adverse comments.

BOARD OF ADJUSTMENT FINDINGS

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC.
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

ZONING ADMINISTRATION CONSIDERATIONS

The property is an approximately 18,892 square foot lot zoned R-1, and is developed with a fire station. The applicant is proposing to construct an addition on the north and east sides of the existing building. The construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable to the new construction.

Lot Size

Per *UDC* Section 6.4.2 and Table 6.3-2.B, the minimum lot size for a protective service use is 20,000 square feet. The applicant is requesting a variance to allow the minimum lot size to remain reduced from 20,000 square feet to approximately 18,892 square feet for a protective service use.

Lot Coverage

Per *UDC* Section 6.4.2 and Table 6.3-2.B, the maximum lot coverage for a protective service use is 60%. The proposed project will increase the lot coverage to 68%. The applicant is requesting a variance to exceed the maximum allowable lot coverage.

Discussion

The property is located in an established residential neighborhood, just east of Alvernon Way and Randolph Golf Course. The fire station was constructed in 1975 on the existing 18,892 square foot lot, which predates current *UDC* regulations. The facility is currently not in operation due to a recent fire. The applicant proposes to repair the damage and bring the facility into compliance with the National Fire Protection Association (NFPA) guidelines related to firefighter safety. Specifically, the facility must be able to accommodate separate spaces for turnout gear storage, a decontamination room, and fitness area to reduce firefighter exposure to carcinogens. The existing fire station is not large enough to provide these separate spaces. As a result, a 747 square foot addition is proposed on the east side of the building and a 793 square foot addition is proposed on the north side for a total of 1,540 square feet of new space.

The applicant has explored three options in an effort to avoid requesting variances. First, the prospect of acquiring additional land could not be achieved since the adjacent properties are developed with residences and are contributing properties to the San Clemente neighborhood. Second, rather than expanding out at ground level, a second-story addition was considered, however, this would require a setback modification that would potentially impact adjacent properties. In addition, as a contributing property to the neighborhood, the PRS would not approve a second-story addition. And third, relocating the facility to another property that would not negatively impact response times was explored and it was determined that there were no available properties within reasonable proximity to the existing location.

Conclusion

Given that there are special circumstances such as the existing lot size and that the site was developed prior to current *UDC* regulations and NFPA standards; and that the additions are necessary to comply with NFPA guidelines and are not self-

imposed; and that the applicant has explored options to eliminate the need for variances and therefore the request is the minimum necessary to afford relief, staff supports the requested variances.

NEIGHBORHOOD CONTACT (BY APPLICANT)

See the attached neighborhood notifications dated December 11, 2019 and January 16, 2020, and the summary of the onsite meeting dated January 6, 2020.

PLANNING & DEVELOPMENT SERVICES RECOMMENDATION

PDSD staff recommends approval of the applicant's requested variances.

It is staff's opinion that there are physical circumstances applicable to the property; and because of special circumstances applicable to the property, it cannot reasonably be developed in conformity with the provisions of the *UDC*; and would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

Mark Castro, Lead Planner
for
Russlyn Wells, Zoning Administrator

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